

REMARKS**INTRODUCTION:**

In accordance with the foregoing, the claims 22, 23, 25, and 26 have been amended, and claims 9, 11, 16, and 24 have been canceled without prejudice or disclaimer. No new matter is being presented, and approval and entry are respectfully requested.

Claims 22-23 and 25-26 are pending and under consideration. Reconsideration is respectfully requested.

EXAMINER/S RESPONSE TO ARGUMENTS:

On page 2 of the Office Action, numbered paragraph 4, the Examiner submitted that Applicants' arguments have been considered, but are moot in view of the (new) grounds of rejection.

Applicants respond to the Examiner's new grounds of rejection below.

REJECTION UNDER 35 U.S.C. §103:

A. In the Office Action, at pages 3-6, numbered paragraph 6, claims 9, 11, 16 and 22-26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Smith et al. (USPN 6,487,540 B1; hereafter, Smith) in view of Komai (USPN 6,625,579 B1; hereafter, Komai) and further in view of Applicants' own admissions. The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

Claims 9, 11, 16 and 24 have been canceled without prejudice or disclaimer. Independent claims 25 and 26 have been amended for clarity to show more clearly that the mobile terminal is held by a user, a second communication unit communicates with the mobile terminal and a third communication unit communicates with the register terminal. Claims 22 and 23 have been amended to depend from claims 25 and 26, respectively.

The Examiner admits that Smith does not specifically disclose a settlement key or a receipt issue key.

It is respectfully submitted that the Examiner appears to be utilizing Smith at col. 2, lines 11-20, to provide a general explanation of Wireless Application Protocol (WAP) with respect to wireless mobile communication. In Smith, the vendor device may be an electronic cash register or an electronic vending machine, and a bar-code reader may be used to read, send and receive

product and transformation, thus transmitting receipt information electronically.

However, although Smith discloses, for example, sending from a POS to a PDA, an electronic receipt, Smith fails to disclose triggering sending the electronic receipt using a settlement key, a receipt issue key or a receive key of the PDA, as is recited in the present invention.

Komai teaches a special registration process to provide storage of sales information for special customers, wherein the sales information for the special customers is stored separately and a specific operator is needed to execution the special registration mode (see col. 13, lines 36-56), and if another operator knows the special permission code, that operator may also access the special registration mode. However, Komai fails to teach or suggest triggering sending an electronic receipt using a settlement key, a receipt issue key or a receive key of the PDA, as is recited in the present invention.

With respect to Applicants' own admissions, it is respectfully submitted that Applicants have not recited "Quicken" as is assumed by the Examiner. In contrast, Applicants have recited a "household budget system" that stores the received product settlement information. That is, after a purchase is completed, the product settlement is simply entered into the household budget system. There is no teaching or suggestion of triggering sending an electronic receipt using a settlement key, a receipt issue key or a receive key of the PDA, as is recited in the present invention.

Thus, Smith, Komai and Applicant's own admissions, alone or in combination, do not teach or suggest triggering sending an electronic receipt using a settlement key, a receipt issue key or a receive key of the PDA, as is recited in the present invention.

Hence, it is respectfully submitted that amended independent claims 25 and 26 are patentable under 35 U.S.C. §103(a) over Smith et al. (USPN 6,487,540 B1) in view of Komai (USPN 6,625,579 B1) and further in view of Applicants' own admissions, alone or in combination. Since claims 22 and 23 depend from amended independent claims 25 and 26, respectively, claims 22 and 23 are patentable under 35 U.S.C. §103(a) over Smith et al. (USPN 6,487,540 B1) in view of Komai (USPN 6,625,579 B1) and further in view of Applicants' own admissions, alone or in combination, for at least the reasons amended independent claims 25 and 26 are under 35 U.S.C. §103(a) over Smith et al. (USPN 6,487,540 B1) in view of Komai (USPN 6,625,579 B1) and further in view of Applicants' own admissions, alone or in combination.

B. In the Office Action, at pages 7-8, numbered paragraph 7, claims 3, 9, 11, 16 and 22-26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Swartz et al. (USPN

2003/0132298 A1; hereafter, Swartz) in view of Smith et al. (USPN 6,487,540 B1; hereafter, Smith) and further in view of Applicants' own admissions. The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

Claim 3 was previously canceled.

Claims 9, 11, 16 and 24 have been canceled without prejudice or disclaimer.

Swartz teaches a consumer interactive shopping system that does not disclose a POS terminal, apart from the mobile terminal, that includes a scanner. Instead, Swartz teaches a different type of interaction, that is, using a PDA to scan a bar code of items to be purchased, wherein a comprehensive database stores items available for purchase, so that the PDA may communicate with a central host via wireless radio to allow correlation between information about the items to be purchased and information in the comprehensive database (see, e.g., paragraph [0051] of Swartz), and the user proceeds to use the portable terminal to record items added and removed from his purchases. That is, the portable terminal may act as a dumb terminal with radio frequency communication means so that all information is stored in a central location and the portable terminal simply sends and receives data from the central locations (see paragraph [0097] of Swartz). The store may utilize, for example, a kiosk, i.e., an intermediate consumer presentation device (see paragraph [0098] of Swartz) to view information on the purchases. As admitted by the Examiner, Swartz does not teach "wherein the information may be transmitted to a household system of the customer." Thus, Swartz does not teach or suggest triggering sending an electronic receipt using a settlement key, a receipt issue key or a receive key of the PDA, as is recited in the present invention.

As admitted by the Examiner on page 5 of the Office Action, "Smith does not specifically disclose a settlement key or a receipt issue key." Hence, it is respectfully submitted that, contrary to the Examiner's contention that "Smith does teach this" (page 7 of the Office Action), i.e., that the information may be transmitted to a household system of the customer, Smith does not teach or suggest triggering sending an electronic receipt using a settlement key, a receipt issue key or a receive key of the PDA, as is recited in the present invention. Such an implementation is submitted to be different from, and patentable over, the implementation of the cited art.

As noted above, with respect to Applicants' own admissions, it is respectfully submitted that Applicants have not recited "Quicken" as is assumed by the Examiner. In contrast, Applicants have recited a "household budget system" that stores the received product settlement information. That is, after a purchase is completed, the product settlement is simply entered into

the household budget system. There is no teaching or suggestion of triggering sending an electronic receipt using a settlement key, a receipt issue key or a receive key of the PDA, as is recited in the present invention.

Thus, it is respectfully submitted that amended independent claims 25 and 26 are patentable under 35 U.S.C. §103(a) over Swartz et al. (USPN 2003/0132298 A1) in view of Smith et al. (USPN 6,487,540 B1) and further in view of Applicants' own admissions, alone or in combination. Since claims 22-23 depend from amended independent claims 25 and 26, respectively, claims 22-23 are patentable under 35 U.S.C. §103(a) over Swartz et al. (USPN 2003/0132298 A1) in view of Smith et al. (USPN 6,487,540 B1) and further in view of Applicants' own admissions, alone or in combination, for at least the reasons amended independent claims 25 and 26 are patentable under 35 U.S.C. §103(a) over Swartz et al. (USPN 2003/0132298 A1) in view of Smith et al. (USPN 6,487,540 B1) and further in view of Applicants' own admissions, alone or in combination.

CLAIM INTERPRETATIONS:

In the Office Action, at page 9, numbered paragraphs 8-9, the Examiner submitted explanations of interpretations of claims.

It is respectfully submitted that the structure of the embodiments of the present invention is clear from the claims and figures.

CONCLUSION:

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, this Amendment should be entered at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration by the Board.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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